The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" In my humble opinion, Sir, no."

* The hon. the PRESIDENT :—" I think the motion is in order. I want to know whether the hon. Member has got the leave of the House. (After a pause.) Since no hon. Member has objected, the hon. Member has the leave of the House. The question is whether it will be for the convenience of the House to take it up either to-day or to-morrow."

(Voices from the Congress benches : 'To-day, Sir.')

* The hon. Sir NORMAN MARJORIBANKS :—" I am advised that the hon. the Finance Member's budget speech will not occupy more than an hour or so and therefore, if the adjournment motion were taken up to-morrow, it will enable us to get on with our work to-day. I do not in any way press the point."

* The hon. the PRESIDENT :—" It depends on the consent of the Government. (After a pause.) It will be taken up to-day at 2-30 p.m."

V

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1928-29.

GRANT XXIII—CIVIL VETERINARY SERVICES—TRANSFERRED.

* The hon. Mr. M. R. SETURATNAM AYYAR :—" Sir, on the recommendation of His Excellency the Governor I move—

> '*that the Government be granted a further sum not exceeding Rs.* 9,700 *under Grant XXIII. Civil Veterinary Services—Transferred*'

for the purchase of additional sera and vaccine for the Veterinary department. The explanatory note of the Finance Department gives details with regard to the demand. Since sending the note, the Government have received information that there is a further saving of Rs. 12,000. Hence the amount now required is Rs. 9,700 only."

The hon. Dr. P. SUBBARAYAN :—" I second it."

* Mr. A. RANGANATHA MUDALIYAR :—" Mr. President, Sir, before this amount is sanctioned, I think it would be well to know from the hon. Minister what steps have been taken to have this inoculation carried on effectively and on a large scale. I understand that in the districts of Anantapur and in some parts of Bellary also, cattle are suffering from this epidemic. I do not think there is any reasonable chance of this epidemic being successfully combated if only the Deputy Superintendent and a few others are to attend to the work of inoculation. I should like to know what further steps the Government are going to take to successfully combat this disease."

* Mr. J. A. SALDANHA :—" I would like to urge the same point as has been pointed out by my hon. Friend from Bellary. Since a certain amount was sanctioned for serum-simultaneous, I have learnt that rinderpest has been raging wildly in South Kanara district. It has extended even to Mangalore. But I find that serum-simultaneous is not to be found anywhere in the district. When asked, it was stated that they had ordered for it and that it would take some days to come. I do not know how many heads of cattle have died. In Mangalore taluk, there is no separate officer to make use of the serum. I do not know how much money has been spent on this serum-simultaneous and by what agency it has been done. I want to

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know whether this serum has been used properly and has not been wasted in the name of efficacious treatment. I think Government do not give us an adequate idea of what they are going to do or what they have to do. They have not got sufficient number of men for the purpose and I am afraid they may simply be wasting money in a manner which will be most discreditable to the department. I therefore hope that Government will enlighten us more on this point and will take prompt steps to bring home this method to all parts of the Presidency where rinderpest is prevailing to a large extent."

* Mr. R. NAGAN GOWDA :—" Mr. President, Sir, before I give my vote for the amount that has been asked for by the hon. Minister, I would like to make a few remarks. Sir, this year, a very large amount of money amounting to 3½ lakhs has been spent to fight the battle against rinderpest disease in the country. Sir, with a much smaller amount this disease could have been combated effectively if we had in this Presidency a factory for the preparation of the serum and vaccines for rinderpest. It is only a few months ago that a sum of money was granted to the department to buy serum from the Muktesar laboratories. I would like to know whether any efforts have been made during this period to manufacture this much-needed serum in this Presidency. There is another point of considerable interest and it is this : since the disease is spreading very rapidly in the country in spite of all the efforts that have been made, a large number of men ought to be trained to inoculate cattle against rinderpest. Some time ago a suggestion was made on the floor of this House that young cattle ought to be vaccinated against rinderpest, so that later on they may not be attacked by the disease.

" I would request the hon. the Minister for Development to tell us what steps have been taken till now to start an institute for serum. I would like to know whether they have any provision in the budget for the next year at least to start a serum manufacturing institutions in this Presidency." 12 noon.

* The hon. Mr. M. R. SETURATNAM AYYAR :—" Sir, the extra cost involved in adopting the serum simultaneous method nearly exhausted the whole sum granted in the previous meeting of the Council. The cost of the new method is nearly twice the amount involved in the serum alone method. As regards the supplementary grant, there was rinderpest raging in every part of South Arcot, and all the money had to be spent there. As regards Mr. Saldanha's complaint that there were some cases of rinderpest in South Kanara and South Malabar. . ."

Mr. J. A. SALDANHA :—" Many cases."

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes, there were many cases in those parts. With regard to them, all the money available in the department were utilized by adopting the serum simultaneous method alone. Then, Sir, with regard to the officers, some are being trained and they are also being sent to several parts of the Presidency where this disease prevails."

Mr. J. A. SALDANHA :—" How many ? "

* The hon. Mr. M R. SETURATNAM AYYAR :—" I want notice. As regards Mr. Nagan Gowda's complaint we have called for a report from the Director of Veterinary Services whether the serum could be manufactured in our Presidency and the matter will be carefully considered after the receipt

of the report. Lastly, I want the House to remember that it is only where the matter is urgent that we come forward with proposals for a demand for a supplementary grant and I request the House to sanction the same."

Dr. B. S. MALLAYYA :—" Sir, I have been listening to the hon. the Minister for Development with closest attention, and it seems to me that Government have no idea of how best to deal with this disease. They forget that this disease is inflicting a heavy drain on the cattle of the poor ryots. They must also remember this fact, namely, till the Government began to take precautionary measures this disease used to be a periodic one, raging once in three or four years in some parts of the Presidency, and for the rest of the period there would be no disease at all. But, ever since Government started Muktesar injection the epidemic has been more or less continuous. We shall see the rate of mortality for the last three years. In the year before last it was 65, last year it was 75 and this year it has begun in a virulent form in the West Coast, Salem and other parts of the Presidency. The hon. the Minister now wants 9,700 rupees more; and I ask him if that money is sufficient to deal with this disease.

" The proper method to deal with this question is to see that this disease is eradicated and not to adopt the present method. They have a kind of dealing with this question in South Africa, the Phillipines, in Ceylon; and our own neighbour, Mysore, is doing it very successfully at a much cheaper cost and in a very scientific manner. You have spent three lakhs on a sterile, useless and dead medicine, as one of your own officers called it, I mean the officer at Kangayam. Sir, I have been repeatedly asking you to start manufacture of serum in your own Veterinary College so that the medicine may be more potent and virile, and also that no complaint may be raised that when the serum comes to the hot climate there is no life in it. What is the use of spending money on such a system? Cannot you organize a campaign as you do in vaccinating children. You have to catch cows and inoculate them. You say serum virus method is costly; but I ask, what is the use of adopting a useless method? You can inoculate a number of cattle; and this method has worked successfully in South Africa and Holland. You have already spent three lakhs on dead matter; and in every meeting of the Council there is a fresh demand for further sums. I say there is no use trying the present experiment. You may as well take a bucket of money and empty it in the Bay of Bengal. The method which I propose may be costly for the first year, but this cost may be balanced by the fact that for the succeeding years you need not spend any money at all. What you then require is only a band of trained men. For this, give your veterinary graduates a week's training and send them to the places where they are wanted. The object of the Government must be to see to the prevention of the recurrence of the epidemic. And for that you must have a scheme; for without a definite scheme there is no use spending money. I therefore request this House to seriously consider whether it will not be better to vote down this demand."

Mr. K. V. R. SWAMI :—" Sir, no obstacles were thrown in the hon. the Minister's way till now with regard to this matter. The House was always willing to grant the required sum whenever a demand was made. What is expected of the hon. the Minister is to see that the money so granted is utilized in an economic manner. It has been said on more than one occasion that the serum should be manufactured here and here only and that it should be manufactured in a better manner and at a cheaper cost so that it may be

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more effective. That has been said more than once and Government have not done anything to investigate into that matter, at least to find out whether this serum can be manufactured here, and if so, what will be the cost Nor have they given any assurance that they will take up this matter at an early stage. Of course it is very good the hon. Minister has come to his House more than once for this expenditure, as it is very necessary to prevent this epidemic from spreading. I hope he will make arrangements to have this serum manufactured here, get the necessary staff and the necessary things required."

The hon. Mr. M. R. SETURATNAM AYYAR :—" May I offer a word of personal explanation ? I fear the hon. Member did not hear me when I said that we have called for a report from the Director of Veterinary Services."

* The hon. the PRESIDENT :—" That does not constitute personal explanation. The question is Government be granted a further sum not exceeding Rs. 9,700 under Grant XXIII—Civil Veterinary Services—Transferred."

The demand was put and carried and the grant made

GRANT XXIX—CIVIL WORKS—GRANTS-IN-AID —TRANSFERRED.

The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, on the recommendation of His Excellency the Governor I move—

' *That the Government be granted a further sum not exceeding Rs.* 5,750 *under Grant XXIX—Civil Works—Grants-in-aid—Transferred.*'

" This sum is required for the purpose of repairing the Ghat portions of the Calicut-Vayitiri-Gudalur and Calicut-Gudalur trunk roads. The roads have been closed for traffic as they have been cut up very badly. As the roads are main roads and as the District Board President informed us that the Board cannot find the requisite money the Government have resolved to have the repairs executed by the Public Works Department. The total sum required for the repairs will be about forty-five thousand rupees, of which Rs. 5,750 will be spent before the close of the financial year and the remaining sum will be provided for in the Budget for 1929-30."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second it."

* The hon. the PRESIDENT :—" The question is ' Government be granted a sum not exceeding Rs. 5,750 under Grant XXIX—Civil Works—Grants-in-aid—Transferred '."

* Mr. R. NAGAN GOWDA :—" Sir, I wish to oppose this motion. Sir, this is a trunk road and annually a grant of five hundred rupees is made for the maintenance of this road. The hon. the Chief Minister said in his explanatory speech that the road is badly cut up. May I know why were not the roads repaired annually ? Sir, in objecting to this grant I would like to mention another fact. In another part of the Presidency, namely, the Ceded districts, there are some roads which are very bad. When a motion was brought forward for repairing these roads we got the reply that it would be considered, and it is still awaiting consideration. In my own district there are several second-class roads which require immediate repairs. When this is so, I do not know what induced the Government to undertake repairing this first-class road that gets annually five hundred rupees for its upkeep."

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* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, I rise to sound a note of warning."

Mr. J. A. SALDANHA :—" Do you oppose the motion ? "

* Mr. G. HARISARVOTTAMA RAO :—" A note of warning does not necessarily mean opposition. The hon. the Minister has been very kind to the Malabar District Board. I do not wish to quarrel with him on this subject; but I am certain that he has not been doing his duty properly with regard to the other parts of the Presidency. He is very anxious to help the Malabar District Board immediately with forty thousand rupees and odd for the simple reason that the ghat road has got out of order. There is a trunk road which has recently got out of order in the Kurnool district connecting the eastern portion of the district with the western portion. No notice seems to have been taken of it; and if a question is asked in the Council, the answer we get is that the matter did not belong to this portfolio or the other portfolio. No serious notice has ever been taken of even important roads in our districts, even roads connecting districts. For instance, the road I have spoken of is a road connecting the Guntur and the Kurnool districts and it is traversed by pilgrims bound for Srisailam. The hon. the Minister has come forward to-day for the repair of this particular Malabar road with much haste. It may be a very reasonable haste, but all the same, he does not show the same reasonable haste with regard to the other roads that are as important, if not more important. I hope he will show the same sympathy and generosity towards the other roads and give, ere long, sufficient grants to connect the Guntur and Kurnool districts."

12-15 p.m. * Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" It is not my intention, Sir, to oppose this grant. I merely rise to ask for some information from the Government with regard to this grant I happen to know something about this road. It is constantly getting out of order: the road is not made of granite metal and therefore it is generally unable to stand the very heavy traffic which goes along this road. I do not know what the mileage grant for this road is, whether it is Rs. 500 or Rs. 1,000 per mile. But I would certainly urge, if possible, that the ghat portion should be metalled with granite metal as very heavy traffic is passing on it generally. I find from experience that this road is not able to stand up against the traffic. It is not part of my business to answer objections raised by some of my friends, but I may say for the information of my Friend, Mr. Harisarvottama Rao, that I believe that there is a proposal to take over the Mantralamma road and treat it as a trunk road."

Mr. K. V. R. SWAMI :—" Mr. President, it is stated here that the matter is very urgent and that the Government therefore proposes to have it done through the Public Works Department and that very speedily, and that the question of contribution would be considered later on. It is not stated whether the District Board is in a position to effect the necessary repairs at its own cost. As has been observed by my hon. Friend, Mr. Arogyaswami Mudaliyar, this board seems to be getting the usual contribution of Rs. 500 a mile along with other district boards. Why special facilities are to be given to this board it has not been anywhere stated either in the note or in the speech of the hon. the Minister. In the case of poor district boards, it is the duty of the Government either to lend money or to give grants. It is

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not found that this board is a poor one, and from what I hear just now about the road being exposed to very heavy traffic, I think the district board must have been making a lot of money by way of tolls. It has got all the benefit out of this toll revenue and it is also getting the usual contribution of Rs. 500 a mile, but it does not want to contribute anything at all towards the cost. It is not also stated as to how this question will be dealt with later on. Of course, the hon. Minister can use the powers he has got in matters like this. Even now, if he can assure the House that he would get half the money from the district board, it would be all right. The objection is not for the work being taken up urgently, but that the general revenues are made to bear the whole burden and we are left in darkness with regard to the contribution that would be asked for from the district board."

The demand was put and carried and the grant made.

GRANT XXXIV—AGENCY TRACTS—RESERVED.

* The hon. Sir NORMAN MARJORIBANKS:—" Mr. President, Sir, on the recommendation of His Excellency the Governor, I move

'*that Government be granted a further sum not exceeding Rs.* 100 *under Grant XXXIV—Agency Tracts—Reserved.*'

" This, Sir, is an application for a token grant to obtain the approval of the Council for the reconstruction of the Byneru bridge which was washed away by the floods of last August. This is the working season and we wish to begin the work at once, with the approval of the Council. So I move this grant."

The hon. Mr. T. E. MOIR:—" I second it."

* Mr. K. V. R. SWAMI:—" With regard to this grant, I do not object to it at all. It is a very necessary thing as I know the place itself, but it is not stated what amount is required and in what time the work would be done. It is very necessary that it should be done as speedily as possible because the whole traffic is held up, and it is impossible for the passengers or goods to get through unless this is done very speedily."

* Mr. K. R. KARANT:—" I wish to know, Mr. President, how there can be any demand like a token demand made by Government."

* The hon. the PRESIDENT:—" A rule was made very recently that token motions can be moved. Copies of the rule will be circulated to hon. Members in due course. I understand that the rule was published in the gazette."

* Mr. K. R. KARANT:—" I am not aware of it, Sir."

* Mr. S. SATYAMURTI:—" Mr. President, I do not raise any point of order because, as you have now mentioned to my hon. Friend from South Kanara, Mr. Karant, the Government of India have made a new rule. But I desire to raise the question of principle as to whether the Government will be justified in a case like this—I am saying this not for your ruling, Sir, but as mere remarks to the House—in resorting to this proviso to sub-rule (1) of rule 32 which says: 'Provided that when funds to meet proposed expenditure on a new service can be made available by reappropriation a demand for the

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grant of a token sum may be submitted to the vote of the Council and if the Council assents to the demand, funds may be so made available.' Now, Sir, sub-rule (1) of rule 32 says:

'An estimate shall be presented to the Council for a supplementary or additional grant when

(i) the amount voted in the budget of a grant is found to be insufficient for the purposes of the current year, or

(ii) a need arises during the current year for expenditure for which the vote of the Council is necessary upon some new service not contemplated for the budget of that year.'

"According to the note circulated to hon. Members, Mr. President, this is, I take it, a new service not contemplated in the budget of the year. Owing to some unforeseen circumstances, the Government feel called upon to reconstruct the Byneru bridge. But, in the course of the note, it will be seen that the Chief Engineer has now reported that a sum of Rs. 3,000 only is required for the reconstruction of the Byneru bridge during the current year, and that no expenditure is anticipated in the current year on the restoration of the road from Jangareddigudem to Jellagumalli. Now, Sir, if it was a case of the entire financing of the scheme being met by reappropriation from one head to another, I can understand resort being had to this rule. Under Devolution Rule 38 it is the Finance Department that has got the right to order or to sanction such reappropriation. At page 130 of the Council Manual, Devolution Rule 38 (1) says:

'After grants have been voted by the Legislative Council

(a) the Finance Department shall have power to sanction any reappropriation within a grant from one major, minor or subordinate head to another;

(b) the Member or Minister in charge of a department shall have power to sanction any reappropriation within a grant between heads subordinate to a minor head which does not involve undertaking a recurring liability, provided that a copy of any such order sanctioning such a reappropriation shall be communicated to the Finance Department as soon as it is passed.'

"I take it, in this case, it is the Public Works Member or the Irrigation Member who has sanctioned this reappropriation; and I expect it has been communicated to the Finance Department. If that is so, that can come under the review of the Council only under the operation of Rule 34, that is to say, the Public Accounts Committee should report to this Council every case of reappropriation from one grant to another, or reappropriation within a grant which is not made within the rules regulating the functions of the Finance Department. I should like to know from the hon. the Revenue Member and the hon. the Finance Member how this reappropriation is made. Is it a reappropriation from one head to another which the Finance Department has sanctioned or is it a reappropriation from one minor head to another which the Member in charge has made and has been communicated to the Finance Department? In that case, it is perfectly valid for the Government to do so and leave it to the Public Accounts Committee in the first instance and to the Council later to look into the matter. But the rule provides—the new proviso to sub-rule (1)—as follows: 'Provided that when funds to meet proposed expenditure on a new service can be made available by reappropriation,' etc. Admittedly this Rs. 3,000 cannot be sufficient for even a part of the work; for earlier in the note it is stated that the works are estimated to cost Rs. 60,000. I have no information in the note as to what exactly these two works would cost relatively, how much the road will cost, and how much the bridge will cost. I should be surprised to know if Rs. 3,000 would be enough for this year. So, the position is this: they want some money,

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roughly Rs. 30,000, for a bridge. They propose to carry on some portion of the work during the year. For that, they want Rs. 3,000. They say they will get Rs. 2,900 by reappropriation and they come to the Council for Rs. 100. It seems to me that the spirit of the rule of the Government of India can only mean this, that where the Government can itself act under the existing rules by reappropriation it is as well that the Government may get the approval of the Council by means of a token demand; but where, as in this case, the whole expenditure is not going to be met by reappropriation, but only a part of it, it seems to me not to be acting exactly in consonance with the spirit of the rule to put forward a token demand. As it is a new rule, and as we must be very careful that the rule is not put to uses for which it is not intended, I should like to know if the hon. the Finance Member or the hon. the Revenue Member would throw some light on this aspect of the question. I have nothing to say against the merits of the demand as it stands."

* The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, the amount wanted for the current year is Rs 3,000 to begin this bridge. That can be found by reappropriation, but the bridge is a new item which the Council has not sanctioned. Therefore to give the Council an opportunity of sanctioning it, this token motion is put forward. If the Council approves this demand, this Rs. 3,000 will be spent this year, and it will then become a work in progress, and will appear in the budget for the next year.

"As regards the exact total of the estimate, I have not got information at present If we lose this season, this time of the year, it means postponing the whole work by another year."

The demand was put and carried and the grant made.

VI

BILL FURTHER TO AMEND THE MADRAS CIVIL COURTS ACT, 1873.

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I move, Sir, that the Bill further to amend the Madras Civil Courts Act, 1873, be referred to a Select Committee composed of the following Members:—

1. M.R.Ry. P. T. Rajan Avargal.
2. Rao Bahadur B. Muniswami Nayudu Garu.
3. M.R.Ry. K. P. Raman Menon Avargal.
4. „ T. C. Srinivasa Ayyangar Avargal.
5. „ P. C. Venkatapati Raju Garu.
6. „ C. V. Venkataramana Ayyangar Avargal.
7. Mr. C. E. Wood.
8. Mahmud Schamnad Sahib Bahadur.
9. M.R.Ry. Alladi Krishnaswami Ayyar Avargal.
10. The hon. Diwan Bahadur M. Krishnan Nayar (Mover).

"With your permission, I would substitute the name of Rao Bahadur B. Muniswami Nayudu Garu in place of Rao Bahadur Sir A. P. Patro because Sir Patro does not want to serve on this committee. On the merits of the Bill, which is a thoroughly non-controversial measure, I do not think it is necessary to say anything at all."

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second it."

The motion was put and carried.